GREAT HOLIDAY BARGAINS.

THOUGHT BE AT HALF PRICE.

In order to effectan entire clearance of our extensive stock of cleaks, they are now reduced at from 25 to 50 per cent behave former cost.

hw fermer cost.

THUS:

miscellar cost collection of cloth Cloaks and Talmas formerly sold at \$10 and \$12, are now reduced to.

Beautiful gray cloth Circulars, formerly \$16, now.

Beautiful gray cloth Circulars, much handsomer, formerly \$20 to \$45, now.

Superb Lyons velvet Cloaks, formerly \$45 to \$50, now.

Superb Lyons velvet Cloaks, formerly \$45 to \$50, now. Superb Lyons velvet Clouds, normed in allie poportion.

The entire stock is reduced in allie poportion.

GEO. BULPIN, No. 361 Broadway.

GEO. BULFIN, No. 361 Broadway.

MOUSLIN DE LAINES, all wool; FULL
ARNOLD CONSTABLE & CO.,
No. 62 Canal-st, near Broadway.

PAVILION DF FLORA
Offers perpetual attraction in all that pertains to
TOILET PURPOSFS.
SOIREE COIFFURES and BRIDAL WREATHS
prefusion. JAMES TUCKER, No. 371 Broadway.

RICH CLOAKS for HOLIDAY PRESENTS.—
BEERMAN & COMPANY, No. 473 Broadway.
Will offer THIS MORNING Great Barguins
In VELVET and CLOTH CLOAKS
Being neeful Presents for the coming Holidays.

OFLUING OFF.—ARNOLD, CONSTABLE &

SFLLING OFF.—ARNOLD, CONSTABLE & CO are now effecting their Falland Winter DRESS GOODS at preatly reduced prices, as they are determined to close their present stock preparatory to r. moval. No. 62 Canal st., near Residuar.

STEEL-SPRING SKIRTS, Gutta-Percha, Crin Schie, Moreen, Harr-cloth, quilted Cotton, Whalebore, Embroideries, black Lace Valls, Childrenie Robes, Waiste, Skirts & Capa; Zephyr Hoode, Shawis, A Talmas, Ledles' Skirt Suspenders, &c. For sale at No. 705 Broadway.

TO CLOSE the SEASON. RICH DRESS GOODS.
REDUCED 30 PER CENT.
CHAS. G. HOOK, No. 703 Broadway.

TO CLOSE the SEASON. —
HOUSEKEEPERS' GOODS,
of every description,
REDUCED 30 PER CENT.
CHAS. G. HOOK, No. 703 Broadway.

TO CLOSE the SEASON. -RICH FRENCH MERINOES.
REDUCED 30 PER CENT.
CHAS G. HOOK, No. 703 Broadway. TO CLOSE the SEASON.RICH SATIN DAMASK
TABLE CLOTHS,
NAPKINS, &c.,
REDUCED 30 PER CENT
CHAS. G. HOOK, No. 700 Broadway.

TO CLOSE the SEASON. —

A General REDUCTION of 30 PER CENT on the
ENTIRE STOCK

of
RICH and FASHIONABLE DRY GOODS.
CHAS. G HOOK. No. 793 Broadway.

WOOLDELAINES. -

Will offer their entire stock of WOOL DE LAINES

At a Great Reduction.

No. 72 Canal-st.

furs, Robes, &c.

FURS, FURS.—A large and choice assortment for ladies and Misses, unsurpassed by any. Misses and Guldren's BEAVERS, in all their varieties; the newest styles of Children's VeLVET and CLOTH CAPS. KELLOGG. Manufacturer, No. 128 Canal-st.

T URS. - LANDRY'S FURS

None to surpass them this season.
Orders carefully executed.

No. 693 Broadway.

LADIES' FANCY FURS.

Beautiful MINK CAPES.

Beautiful MINK VICTORINES and CUFFS,

Beautiful MINK MUFFS,

Fine Hudson Bay SABLE,

Genulae, Rich and Bare.

Fine Hudson Bay SABLE,
Pure Royal ERMINE,
Handsome STONE MARTEN and FITCH,
Real Russian SABLE,
Very fine CHINCHILLA and GENET,
With every other description of FUR at greatly reduced prices.
GEO. BULPIN, No. 561 Broadway.
N. B.—All our stock at from 25 to 59 per cent below former prices.

Financial.

A LBERT H. NICOLAY, Auctionear, will sell this day, Dec. 15, at 124 o'clock, at the Merchants' Excharge, for account of whom it may concern:

\$2,000 Manchester Mang, and Mining Co. of Marsland.
\$2,000 Cheveland and Pittaburgh Mige 7 per cent Bonds.
\$2,000 Milwankee and Horicou R. R. 1st Mt. 7 per cent Bonds.
\$2,000 Milwankee and Horicou R. R. 1st Mt. 7 per cent Bonds.
\$2,000 Milwankee and Horicou R. R. 1st Mt. 7 per cent Bonds.
\$2,000 Milwankee and Horicou R. R. 1st Mt. 7 per cent Bonds.
\$2,000 Milwankee and Horicou R. R. 1st Mt. 7 per cent Bonds.
\$2,000 Sacramento City 10 per cent (Funded L aon) Bonds.
\$3,000 Milwankee Engress Company, & 100 cach.
\$3,000 Marsland, & 25 cach.
\$4,000 Marsland, & 25 cach.
\$100 shares American Coal Company of Maryland, & 25 cach.
\$100 shares Coventh Ward Bank, & 26 cach.
\$100 shares Coventh Ward Bank, & 26 cach.
\$110 shares Coventh Ward Bank, & 26 cach.
\$110 shares Coventh Ward Bank, & 26 cach.
\$110 shares Rungers Fire Insurance Company, & 25 cach.
\$110 shares Rungers Fire Insurance Company, & 25 cach.
\$111 shares Pacific Fire Insurance Company, & 25 cach.
\$111 shares Fireman's Insurance Company, & 25 cach.
\$111 shares Rungers Fire Insurance Company, & 25 cach.
\$110 shares Coventh Fire Insurance Company, & 25 cach.
\$111 shares Rungers Fire Insurance Company, & 25 cach.
\$111 shares National Fire Insurance Company, & 25 cach.
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\$111 shares National Fire Insurance Company, & 25 cac

PARK FIRE INS. Co., No. 237 Broadway, corner of Park-place - New, York. Dec. 4, 1846. }

DIVIDEND. - A SEMI-ANNUAL DIVIDEND of SIX (6) PER CENT has this day been declared, payable on and after the 2d of January next. The Transfer Books will close on the 24th inst.

WM. JAFFRAY, Secty.

OFFICE OF TERRE HAUTE AND RICHMOND R. R. Co., }
TERRE HAUTE, Nov 22, 1956.

NOTICE.—At a meeting of the Board of Directors of this Company, held on the 15th of January last, it was referred that the fiscal year, hereafter, terminate on the 50th of NOVEMBER. In corresquence of the change made the Transfer Beeks will be closed on the 50th inst., and remain closed to the 15th of December. By order of the Board, CHAS. WOOD, Scoretary.

GALENA AND CHICAGO UNION RAIL-BINKING FUND BONDS of this Company, maturing in 1878, BINKING FUND BONDS of this Company, maturing in 1878, Interest payable half-yearly in New-York, are for male by STRACHAN & SCOTT. No. 51 William-et.

RVING SAVINGS INSTITUTION, No. 96

RVING SAVINGS INSTITUTION, No. 96
Warren-st., near Greenwich-st.—Open daily from 10 a.m.
to 2p. m. std 4 to 7 p. m. on MONDAYS, THURSDAYS and
SATURDAYS Interest, 6 per cent on sams from \$1 to \$500.
WALTER W. CONCKLIN, Fresident.

VANDERSHIT L BUXYON, SOSTETAY.

BANK DEPARTMENT, ALBANY, Oct. 29, 1885.

NOTICE IS HEREBY GIVEN, pursuant to the
statute in such case made and provided, that all the obsculating notes issued to S. GILBERT, an individual banker,
GROVERS' BANK OF ST. LAWRENCE COUNTY, Opdensburgh, and late DROVERS' BANK OF CATTARAUGUS
OUNTY), must be sent to the office of the Superintendent of
the Banking Department of the State of New-York, for payment, within two years from the date hereof, or the funds deposited for the redemption of the circulatin notes issued to the
mid banker will be given up.

22 law 23 M

OFFICE OF THE ILLINOIS CENTRALRAILROAD CO.
No. 5 Wallest., New-York, Dec. 9, 1886.

NOTICE is HEREBY GIVEN to the Stockholders of this Company that an INSTALLMENT of FIVE
DOLLAR's (65 on e.ch share of the Capital Stock of the Company, on which \$25 per share has been herestofore assessed, has
been made, payable on or before the 15th day of January next,
at the office of the Company, No. 20 Wall-st., New-York. The
Transfer Books will be closed on the 8th of January, and
opened on the 22d. By order of the Executive Committee.

J. N. PERKINS, Treasurer.

Interest at the rate of Seven Fer Gent will be charged on all
linearlinearts paid after the 15th of January from that date.

NEW-YORK CENTRAL RAILROAD SEVEN

NEW-YORK CENTRAL RAILROAD SEVEN
PER CENT BONDS - The understead offer for sale the
NEVEN PER CENT COUPON BONDS of tais company
(sate issue, having twenty years to run. Interest payable seminaturally on the first days of February and August, at the Company's Agency in this city.

DUNCAN, SHERMAN & Co.

DUNCAN, SHERMAN & COMPANY,
BANKERS,
Corper of Pire and Nassan-sta, New-York,
LETTERS OF CREDIT FOR TRAVELERS,
PRINCIPAL CITIES OF THE WORLD.

Mercantile Credits for Europe, &c., on Mesers. GEO. PEA-EOBY & Co., of London; and for Indea, China. &c., on GEO. PEA-BODY & Co., or on the Oriental Bank Corporation of Lon-don, having

den, having

Canten. Shanchai, Calentte,
Bong-Kong, Bombay, Midrae,
Singapore.

CREDITS FOR AUSTRALIA ON THE BANK OF NEW
SOUTH WALES OF LONDON.

BEANCHES AND ACENCIES AT

Meitland and Newcastle. Hunter River.
Brebaue and ipswich Moreton Bay.

Melbourne Geelong, Kyneton.

Catlemaine. Mount Alexander.

evens agency.

CALL DRAFTS ON SAN FRANCISCO. REMITTANCES to ENGLAND.

IRELAND, SCOTLAND and WALES.

WE ISSUE SIGHT SILLS ON THE

UNION BANK OF LONDON

BATIONAL BANK OF SCOTLAND.

BELFAST BANKING COMPANY, Ireland,

Le sums of El upward, at 45 per 2.

Address

TAYLOR BROTHERS, Bankers, No. 76 Wall-st, N. Y.

SWIFT, RANSOM & Co., BANKERS, No. 31
Pine-st., New York.—DRAFTS soid and BILLS purchased on Expland. DRAFTS and CREDITS granted on Calcage, and COLLECTIONS made in the principal towns and either of the West and North-west. Payments in Chicago ordered by telegraph.

MARINERS' SAVINGS BANK 3d-av., cor. of 9th-st., open daily from 9 till 2, and on Wodnesday and Batnriday evenings from 5 to 8 o'clock. Interest on deposits of \$500 and under, 6 per cent. THOS. B. STILLMAN, Pres'L.

J. T. VANDERHOOF, STOCK COMMISSION BROKER,

K INDLING WOOD—Best quality Virginia Pine, seasoned Oak and Hickory, at lowest prices. Orders per post promptly delivered. EARRISON & SON, 350 West 24th-st. Drean Steamers, &r. FOR CALIFORNIA .-NEW-YORK AND SAN FRANCISCO STEAMSHIP LINE.

NICARAGUA.

SHOPPEST ROUTE BY 700 MILES.
PRICES GREATLY REDUCED.

The new Docks at Virgin Bay, and at San Juan del Sar, are row completed. The steamers will hereafter lay at the wharves to receive passengers and freight, thus avoiding all exposure in small boats. mail boats.

The New and Splendid Steamship TENNESSEE, Capt. F.
TIXELERAGOR (1,800 tune burden), will sail from the pier at
frot of Beachet. North River, for SAN JUAN DE NICARAGUA, on WEDNESDAY, December 24, at 3 o'clock p. m. to
centect with the steamer SIERRA NEVADA, from SAN
JUAN DEL SUR, on the Pacific, for SAN FRANCISCO.

Passengers will find this the healthlest and cheapest route.
Fifty pounds of baggage allowed each passenger. Ten cents
on excess.

No. 2 Bowling Green, N. Y.

ONLY LINE with SURE CONNECTION.—
Transi 160 Miles shorter than any other Route, and no exponer to River Navigation.—UNITED STATES MAIL LINE.—Fitty pounds of bagage free; it cents per pound on excess four hours from cean to ocean by Panama Ballinod. The United States of the California of th

pany always have one or more extra Steamers lying at Panama ready for sea, to avoid any possible detention of passengers or mails.

For passage apply to I. W. RAYMOND, at the only office of the Companies, No. 177 Weat at., corner of Warren et., N. Y.

month.

UNITED STATES MAIL STEAMSHIP LINE for HAVANA and NEW-OBLEANS.—On WEDNESDAY, Dec. 17, at 2 p. m., from pier foot of Warrenat, North River, the fast and favorite steamship EMPIRE CITY, Capt. B. F Griffin, will sail as above.

Passage can be recurred at the office of the Line.

Freight to New-Opleans, 30 cents per cubic foot.

Shippers will be supplied with blank sills of inding of the form signed by the Line, on application at their office. No other forms signed, and no bill of lading will be signed after the host of sailing.

For freight or passage apply at the office, No. 177 West at. other of Warren. M. O. ROBERTS, Agent.

THE GLASGOW and NEW-YORK
STEAMSHIP COMPANY'S SPLENDID and POWERERFUL STEAMERS
EDINBURGH. 2,500 tune. WM. CUMMINOS. Commander;
NEW-YORK. 2,150 tune. JOHN DUNCAN, Commander;
Are appointed to sale.

Are appointed to sail
FROM NEW-YORK:
FROM NEW-YORK:
EDINBURGH. Saturday, Jan. 31, at 12 o'clock noon.
GLASGOW. Saturday, Jan. 31, at 12 o'clock noon.
NEW-YORK. Saturday, Feb. 14, at 12 o'clock noon.
RATES OF PASSAGE.
FROM GLASGOW.

15 guines.
From GLASGOW.

15 guines.

First-Class. #75

Steerage, found with Cooked Provisions. 39
An experienced Surgeon attached to each Steamer.
For Freight or Passage, apply to JOHN McSYMON,
No. 17 Broadway.
New-York City Bills or Gold only received for Passage.

DR. WATKINSON'S PULMONACIA—For the cure of Consumption, needs only a trial to be pronounced the best and only medicine in the world for the cure of Consumption and all Internal diseases of the Throat and Lungs. Price 51 per bottle. For sale only at No. 448 Broadway.

DR. H. B. NEWMAN'S CAMPHORATED PLASTER—Each one contells about & grains of Gum Camphor, spread on Canton Flaurel, for Rheumatism, Palus Bruises, Wounds, Sores, Infamed Breasts, Neursigia, and Discussed Lungs. For sale by Druggia's generally. General Depot, No. 366 Hudson-st., New-York.

SANDS' SARSAPARILLA.—The aperient, antiseptic ard restorative properties of this invaluable preparation render it a sale and certain core in cases of Scrodia, Liver
Complaint, Dyspepsis, and numerous ulcerous and ernotive
diseases. It acts with extraordinary potency upon the fluids of
the body, cleaning them from all deleterious particles, and a
a restorative, disinfectant and genile aperient combined, it is
unequaled. Prepared and sold by A. B & D. SANDS. No. 100
Fulton-st., New-York. Price \$1 per bottle, or six bottles for
\$5. Sold by druggists generally.

THE GREATEST MEDICAL DISCOVERY HE GREATEST MEDICAL DISCOVERY
of the AGE!

Mr. KENNEDY of Roxbury has discovered in one of our
con more pasture weeds a remedy that cares EVERY KIND of
HUMOR, from the worst Scraylal down to a common Pimple.
He has tried it in over eleven hundred cases, and never failed
except in two cases, both thunder humor. He has now in his
possession over two hundred certificates of its value, all within
twenty miles of Boston.
Two bottles are warranted to cure a nursing sour month.
One to three bottles will cure the worst kind of pimples on
the face.

One to three bottles will clear the worst aind of pumples on the face.

Two or three bottles will clear the system of boils.

Two bottles are warranted to cure the worst canker in the mouth and atomach.

Three to five bottles are warranted to cure the worst case of crysipelas.

One or two bottles are warranted to cure all humor in the

eyes.

Two bottles are warranted to cure running of the ears and blotches among the halr.

Four or six bottles are warranted to cure corrupt and running leers.

Oue bottle will cure scaly eruptions of the skin.

Two or three bottles are warranted to cure the worst case of

Two or three bottles are warranted to cure the most despe-

Two or three bottles are warranted to cure the most despersete case of rheumatism.

Three to four bottles are warranted to cure salt-theum.

Five to cight bottles will cure the worst case of scrofula.

A brefit is always experienced from the first bottle, and a perfect cure is warranted when the above quantity is taken.

Nothing looks so improbable to those who have in vain tried all the wonderful medicines of the day, as that a common weed growing on the pestures and along old stone walls, should cure every humor in the system; yet it is a fixed fact. If you have a humor, it has to start. There are no ifs nor ands, huma ner has about it suiting some cases not yours. I pecidied over a thousands bottles of it in the vicinity of Hoston. I know the effects of it in every case. It has already done some of the greatest cures ever done in Massachusetts. I gave it to children a year old, its old people of sixty. I have seen poor, puny, wormy-looking chilaren, whose fesh was soft and flabby, restored to a perfect size of health by one bottle.

To those who are subject to a sick hoad-ache, one bottle will always cure it. It time great relief in catarrh and dizniness. Some who have taken it have been could be for years, and have been regulated by it. Where the body is sound it works quite casy, but where there is any derangement of the functions of nature, it will cause very sinsular feedings, but you must not be alsars ed; they always disappear in from four days to a week. There is never a bad result from it on the contrary, when that feeling is note, you will feel yourself like a new person. I hear some of the must extravagant encomments of it that ever man listened to.

Manufactured by DONALD KENNEDY, No. 129 Warrenest

Some of the most extravagant encomiums of it that ever man listened to.

Matufactured by DONALD KENNEDY, No. 129 Warren-st. Reabury, Mass. Price \$1.

Whole-sale acreats for New-York: C. V. CLICKENER & Co. No. 51 Barclay-e-; CHARLES H. RING, No. 129 Broadway; A. B & D. SANDS, No. 141 Williamset; MARSH, ORVIS & Co., No. 150 Greenwich-st.; BOYD & PAUL, Chambers-st.; WELLS & Co., No. 115 Franklin-st; McKESSON, ROBBIN & Co., No. 143 Maiden-lane; HAVILAND, HARRAL & RIS LEV. Warren-st.; BARNES & PARK, No. 504 Broadway; WARD, CLOSE & Co., Maiden-lane; Mrs. HAVES, Brooklyn; and for sale at retail by all respectable Druggists throughout the Union.

Legal Notices.

A BARE OPPORTUNITY is offered of procuring A RARE OPPORTUNITY is offered of procuring the four valuable LANDSCAPES by the distinct sheed from a list, Bracasest; a Perifolio of 22 German Lithographs from select Paintings of the old matters of the German and Fle nish schools; 37 Colored Engravings of Swiss and Italian Scenery; 2 vols. of the English Portrait Gallery, with Litenesses of George III. George IV., William IV., and other me ubers of the Royal Family; 3 vols. of Bartlett's American Scenery, bardy bound, and 2 vols. of Irish Scenery, wantly bound; 1 Barnack Table-Cloth and 3 Naphins, made expressly for the use of Louis XV., with the Reval Coat of Arms; a small collection of Old Coins, ellert and copper, of which some are Roman. Apply at No. 12 Birocker st.

man. Apply at No. 12 Birecker st.

IN PURSUANCE of an order of the Surrogate of the County of New York, notice is hereby given to all persons having claims against JAMES MonAUGITTON, his of the City of New York, deceased, to present the same with rouchers thereof, to the subscriber, at his office, No. 11 Frant street, in the City of New York, on or before the eighteenth day of May Caxt.—Dated New York, the differenth day of New York, the JAMES P. WALLACE, Executor.

at lawding.

The complaint in this action was Attorneys for Plaintiff.
Clerk of the City and County of New-York, on the Sath day of
November, 1856.—New York, November 79, 1856.
STEVENS & HOXIE,
dl law6wM Plaintiff's Attorneys.

SALE BY ORDER of the SURROGATE. theree running south-westerly and parallel with Lewis-street seventy feet into inches; thence south-westerly and at right angles with Lewis street twenty-five feet; thence north-westerly and parallel with Lewi street seventy-three feet six inches; and thence south-easterly along Fourth-street twenty-five feet to the place of beginning; being the same premise conveyed to ALEXANDER LENT and GEORGE C. MUL FORD by deed, bearing date the first day of September, 1872 and recorded in the office of Regaster of the City and County of New-York. In liber 614, page 150; and the three very BR COUNTING-HOUSE with high Basement thereon, known to No. 762 Fourth-street.—Dated New-York, Denomber 15th, 1856.

A disinterested Freeholder and Administrator, &c., of Patrick Callaban deceased.

For further particulars, inquire of JAMES W. WHITE, Na St Liberty-st. New-York.

SUPPREME COURT.—In the matter of the application of the Mayor, &c. of the Civy of New York, relative to THE OPENING of EIGHTY-SECOND STREET from River to River (except the central Park.)

Public Notice is hereby given to all property owners interested in the above openic by owning any property owners interested in the above openic by owning any property owners of Estimate and Assessment in the above entitled matter, will meet at their Office, No. 21 Broodway, over the Saoc and Leather Bank, (noom No. 9) EVERY DAY this month—Surdays excepted—at 114 o'clock, a.m. And that the said owners are hereby protified to attend before and Commissioners and produce their title deeds forthwith, otherwise the Commissioners will proceed with their duties, and be obliged to return the property to unknown owners, thereby subjecting them to unnecessary expense—Dated New-York, December, 1856.

REUBEN VOSE,
THOS. J. BARR,
Commissioners.

S. T. MCKINNEY, J.

ROBERT R. WILLETS spainst JAMES H. PULLIS, NATHANIEL GEAR and ELIZABETH, bis wife, CHARLES MOORE, JOSEPH LITTLE and SYLVESTER CHURCHILL.

To the Defendants above named: You are hereby auminoned and required to answer the amended complaint in this action, which was filed in the office of the Clerk of the County of Kinas at the City Hall, in the City of Brooklyn, on the 3th day of October, 1856, and to serve a copy office, No. 61 Wall-st, in the City of New-York, within twenty of your answer to the said complaint on the subscriber, at his office, No. 61 Wall-st, in the City of New-York, within twenty of your answer to the said complaint on you, excluded the day of and service; and if you fall to answer the and complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.—Dated New-York, October 28, 1856.

R. H. BOWNE, Plaintiff's Attorney.

in this scrion will apply to the Court for the relief demanded in the complaint.—Dated New York, November 28, 1486.

The complaint in the above action was died in the office of the City and County of New York, on the 25th day of November, 1856.

dis laws w. F. F. MARBURY, Plaintiff's Attorney.

THE PEOPLE of the STATE of NEW-YORK, by the grace of God Free and Independent—To all persons interested in the Estate of ROBERT STODDART, late of the City of New York, deceased, as creditors, legatece, next of kin, we otherwise, send greeting: You and each of you are hereby cited and required personally to be and appear before our Surrogate of the County of New-York, at his office in the City of New-York, on the founteenth day of January next, at cleven welcock in the forenoon of that day, then and there to attend the final swittement of the account of proceedings of JOHN STODDAAT, ALEXANDER FERGUSON and SAMUEL WADDELL, as Executors of the last will and Textament of asid deceased. It testimeny whereof we have caused the Seal of Office of said Surrogate to be herewinto affixed. Witness, Al-[L. S.] EXANDER W. BRADFORD, esq. Surrogate of our said County, at the City of New-York, the Sith day of November, in the year of our Lord one thousand eight hundred and fifty siz. [48 lawswm] A. W. BRADFORD, Surrogate.

LAW INTELLIGENCE.

SUPREME COURT—SPECIAL TERM—DEC. 13.—Before Judge DAVIES.

CONSTITUTIONALITY OF THE CHARER OF '53—CHARGES AGAINST THE CITY CHARBERLAIN AND CONTROLLER. The Prople on the relation of T. K. Downing agt. A. V. Stout, County Treasurer. The same on the relation of McSpedon & Baker ast the same. The same on the relation of George McGill set; the same.

These were applications for write of peremptory mandamus, commanding the City Chamberlain, as County Treasurer, to pay certain bills andited by the Board of Supervisors.

In the case of Downing, the claim was for his fees as City Irepector, in keeping a register of births and deaths in this city; in the case of McGill, it was for binding and repairing the books of record in the Register's Office, and in the case of McGill, it was for painting the rooms of the Superior Court.

To alternative write of mandamus the Chamberlain bad made return that the abount raised for county contingencies was all expended, and the Counsel for the Corporation, who appeared for him, also in isfed that the various amounts ought not to be paid, because the work had not been done by contract, or sealed proposals, as required by the act to amend the City Charter, passed in April, 1833.

Judge Edmonds, of counsel for the relators, now moved for write of peremptory mandamus, on the ground of evaniveness and faisity in the return, and he read affidavits showing that the Chamberlain made no distinction in his accounts between city and county menor theorem, and the red affidavits showing that the Chamberlain made no distinction in his accounts between city and county menor theorem, and that the account kept in the County Treasurer kept no account of disbursements for the county, and that the account depth in the county of the sound of the county of the page and the tit those errors were corrected, there woul

aware and Pennsylvania—by the Supreme Court of this State, twice in reference to the Common School law, and once recently in reference to a law authiniting the City of Rochester to subscribe to a railroid, and also by the Court of Appeals of this State.

And under those decisions the amended Charler of 1833 was utterly void of itself, and the only question was whether it was not ratified and confirmed by a subsequent statute the Legislature having in June, 1833, passed an act relative to the city, which contained the prevision that the act of April, 1853, should "take effect immediately."

Judge E. insisted that that did not ratify the amended Charler, but was merely intended to remedy a defect in the first statute, which led it in doubt whether it took effect in twenty days after its passage by the Legislature, or in twenty days after its adoption by the people.

The great element demanded by the Constitution as requisite to the validity of every law, namely, the will of the Legislature, was still wanting; for the Legislature had never expressed its will that the amended Charter should become a law, but had left that to be determined by the people.

Mr. Wilconson, of counsel for the Chamberlain, in-

Charter should become a law, but had left that to be determined by the people.

Mr. Wilconson, of counsel for the Chamberlain, insisted that the submission to the people was merely for the purpose of obtaining the consent of the Corporation to an amendment to its Charter, and that it was competent for the Legislature to pass conditional laws, which this was.

Judge Davies decided (that the amenced Charter did not apply to the claim of the City Lappeter; and as it was most manifest that the appropriation for county contingencies had been used up, only by the Controlle's charging wrong items to it, he awarded a pereinptory mandan us in the case of Downing's claim.

He also decided that the Chamberlain had no excuse for mingling the city and county moneys together; that

He also decided that the Chamberlain had no excuse for minging the city and county moneys together; that it was his duty to keep them separa'e, to pay out county moneys only upon the order of the Board of Supervisors, and to publish every year a detailed statement of all expenditures for county purposes; distinct from the expenditures for city purposes; and he in immated that any omission of these duties, or using any appropriation for other than its legitimate purposes, would be an indictable offense.

He said these matters were very clear, but it was quite otherwise as to the validity of the amonised Charter. That was a very grave question, and as it is reduced very much the legality of our present City Government, he should examine the matter carefully. Decision on that point reserved.

Refore Judge CLERKE.

COMMISSIONER BELING'S AUTHORITY OVER THE

MARKETS.

The People on the relation of Lewis Long act Joseph Ebling,
Commissioner of Stricts and Langs, Matthew Gooderous
Superintendent of Markets, and John Bangs, Cerk of
Washinston Market.

This case to trussual interest, ica-mach as it in
volves an important question with regard to the powers
of Commi sincer Ebling, who has taken it groun himself
to decide who shall occupy the stalls of Washington
Market.

Lanis Long, the relator, occupied stand No. 7,
in Washington Market, on the 4th of last August, on
which day he made a general assignment of his property. On the 6th of August the Commissioner of
Streets and Lamps directed the Superintentent of Markets to give a permit for Long setall to Wm. Maschall,
The relator applied to the Common Council for relief,
who referred the matter to a committee. On their report, an order was made directing the restoration of the
stall to the relator, both Boards concurring. Commissloter Ebling, however, retured to give effect to this
order.

The present motion is for a mandamus to compel the

stall to the relator, both Boards concarring. Counties electer Ebling, however, retured to give effect to this order.

The present motion is for a mandamus to compel the restoration of the stand. D. D. Field appeared for the notion, and Mr. Burill in opposition.

Mr. Field made the fellowing points:

1. That the relator, being in possession of the stall under the Corporation, with its consent, could not be removed, except for cause and by a proceeding in conformity with the ordinan e regulating the Departments.

2. That the resultion of the Common Council directing the rels or to be reinsisted was obligatory on the detroants, who were bound to reinstate him; and,

3. That the relator possessed no other adequate remedy, and a mandamus should therefore issue.

Mr. Field contended that the Commissioner of Streets and Lamps was, as regards the markets, a nere ministerial effect, having charge of the transference of stalls, and that he had no right to remove an occupant of his own motion. That the heads of Departments are under the legislative control of the Common Council whose action in the present instance was of a legislative character.

In reply to these views, the defendants insisted that Commissioner Euling has the exclusive and absolute control of all matters pertiaing to his department, and is not responsible to the Common Council for his conduct with regard thereto. That, under the amended Countrol of all matters pertiaing to his department, and is not responsible to the Common Council for his conduct with regard thereto. That, under the amended Countrol of all matters pertiaing to his department, and is not responsible to the Common Council for his conduct with regard thereto. That, under the amended Countrol of all matters pertiaing to his department, and is not responsible to the Common Council for his conduct with regard thereto. That, under the amended Countrol of all matters pertiained to the common Council can perform no excuse. That the Common Council can perform no excuse. That the Common Council

DECISIONS.

THE NEW-HAVEN RAILROAD CASE FOLLOWED—WHEN A. PRIOR RECITY PREVAILS.

Anthony L. Houet agt. The Renescher County Bank.

This is an action brought by the plaintiff to recover from the defendants the damages sustained by him, in consequence of their refusal to transfer to him twenty shares of the capital stock of said Bank, of the parvalue of \$50 each, standing in the name of William Lansing. The cause was tried by the Court ta jury tial term being waved), Oct. 24, 185c. The following facts were proved or acmisted:

That the defendants were an association, organized under the General Banking Law of 1838, and the acts amendatory thereof, doing business at Lansingburg, in the Gounty of Renselser. That William Lansing was an original subscriber to the articles for twenty shares, and corlidered with the same stock now claimed by the plaintiff, in these words:

[No. 110.]

STATE OF NEW-YORK, RENSELLER COUNTY, LASSINGRUEG, July 12, 1854.

in the Gounty of Rensecary. And which are and cor 181 cate was issued to him theretor, being the same stock now claimed by the plaint of in these words:

"[No. 110.]

State of New-York, Renseriage County, Laboratory of Wenty shares of fifty collars each, of the capital stock of the Benseciaer County Bank, which are transferable by him open the conditions and subject to the restrictions contained in the Arucles of Association of said Bank, only upon the books of said Bank and upon the surrender of this certificate," and which was signed by the Preddent and Cashier of said Bank. Section 2 of article 3 of said Articles of Association of said Bank, only upon the books of said Bank and upon the surrender of this certificate," and which was signed by the Preddent and Cashier of said Bank. Section 2 of article 3 of said Articles of Association contained this provision: "The shares of the capital debts and liabilities of the owners thereof to the Association," and no transfer of saiy of said shares can be made until sace "debts and liabilities or the owners thereof to the Association," and no transfer of say of said shares can be made until sace debt to the Association past due, to sell the shares of such debtingment stockholder, or sufficient () pay such indebtedness, and editored to him his certificate of stock, and a blank power of attorney for the transfer thereof as accounty for such home. On the 7th of October, 1233, the defendants desounted a note for Lansing for \$1,155.33, and which was protested for non-payment on the 1th of April, 1834.

The defendants claim to hold this stock as being pledged to secure this debt to them, and the plaintif claims that he is the owner of this of the plaintiff of Partil, 1834.

The defendants claim to hold this stock as being pledged to secure this debt to them, and then plaintiff is P. Nash for defendants are bound to transfer hereas to him, and having refused to do so, are liable for the defendants are lable to the formation of this case, and to the many and the plaintiff is P

have the legal title to the stock, but the Medendants have the prior equity, subject to which the plaintiff took the transfer,

while acting in such fiducing a sparity, with the and and assistance of the other developins, abstracted from the value of soft of the said of the said plaintife, and converted the said of the said of the said plaintife, and converted the said of the said of the said plaintife, and converted the said of the said money, and with the same of two hundred dollars and field to the United Separation of two hundred dollars and field to the United Separation of two hundred dollars and the plaintife claim that by raxson of the said act of the said defer latest here are also that the said of the said carpenties and Grelet, being such officers and acting in such this said carpenties and Grelet, being such officers and acting in such this said, the falcalization and and assistant as a said, the falcalization and the said said and said and said and the said carpenties and the said carpenties and the said and said said the said and said the said act with the intent that the same said and the said act with the intent that the same said and the said act with the intent that the said carpent of the said said the said acts with the intent that the said said the said of the benefit thereof. Upon affidavity asking these facts an order of arrest was made, sathorism the arrest of all the defendants, and by vittee of it they have been a rested, and held to had in the said of the said acts with the intent to a private the plaintiffs of the benefit thereof. Upon affidavity said the said said that the facts act borth did not anth received to the was arrested in Lender by the Paris officials and set that to France. A more into any said said and said that the facts are borth did not anth received the plaintiffs of the said said that the facts are borth did not anth received the said and that the facts are borth did not anth received the said and that the facts are borth did not anth received the said act with the said and said the s placed in Afrit, 1888.

Judge Edmonths, of counsel for the relators, now moved for write of percupicity randoms, on the ground of evaniveness and faisity in the return, and the result and the county an

Plaintiff sale for an allowance, which was refused in the ground that it cault only be made by the Court before which the trial takes piace or the judgment is rendered. (Rail clin). As this application we not made at the Clevit, where the case was tried, it cannot be made here. And the judgment is the cause having been readered at General Term the motion must be made here.

Smith Ely agt. Geo. Cook.

The assignment of the judgment to the Attorneys before notice of motion is an answer thereto, especially as they have equities, which it is the duty of the Court to protect, if possible. Motion for set-off dense .

Richard Tenbrorek sat. Alfred Douglas.

Motion to make compleint more certain and definite
ranted (Wells vs. Jewett, 11 Pr., R. 242).

upon the ground of witnesses' convenience. Denied.

COURT OF COMMON FARAS—EFECIAL TREM—DEC. IS.—

Before Judge BRADY.

ASSIGNMENT—COURTER-CLAIN.

Ferritra gat. Depew.

This is an action by an assigntes of a claim. Defendant set up as a counter-claim an unsettled domand against the assignor.

BRADY J.—The defense interposed in this setion, by way of counter-claim, is not available as such against the conce of action as set up. It is not a cause of action against the plaintiff and the defendant is entitled to no affirmative relation such defense. (Vasser agt. Livingston, 3 Kernan, 245.) It is an equitable defense, doubtless, the plaintiff having taken the claim subject to the equities existing between the defendant and the assignor. The most liberal construction that could be given to the snawer would not render it good, or the defense good, in the legal appect or relation in which it is presented. The rule will not justify me in construing a defense asserted as a counter-claim to be good as mequitable defense, to the claim, after a demorrer. The plaintiff had a right to treat the answer as defeative, and to demur, and that right cannot be interfeced with in a case tike this. The judgment must be for the plaintiff on the demurrer, with liberity to the defendant to amend on symment of cests of the demurrer, and on sarving his answer in ten days after the service of this over.

Before Judge Dally.

Philip Hess act. William Fols, &c.

Motion denied, with 97 courts.

In the matter of the petition of lause Fleer for remission of recognizance.

Proceedings stayed for 60 days, to enable the peti-

Proceedings stayed for 60 days, to enable the peti-

Proceedings stayed for the days, to enable the petitions to surrender the accused party for trisi.

John Hoey agt John W. Consoli, &c.

Order appointing James Van Namee receiver of the property and the effects of the defendant, on his filling a bond to be approved by the Court.

Martin Bruter agt. Jac b Brown, &c.

Motion to open default, and to allow defendant to come in and defend, granted on payment of costs.

TELEGRAPHIC ABSTRACT OF THE MES-SAGE OF THE GOVERNOR OF IOWA.

To the Editor of The N. Y. Tribune.

Sin: In The The Bush of Wednesday you anjustly consume that much abused institution, the "Telegraph," in attributing to it undoe delay in the transmission of the abstract of G.-w. Grimen's Message to the Legislature of Iowa. Neither the telegraph nor the reporter of the Associated Press were in fault, as will appear from the following dispatch from our forcespendent at Chicago:

"Telegraphic facilities in Iowa are exceedingly lesited and unrelable, and, to guard analina is failing to receive at the earlies in pacificable noment the Message of the Governor of Iowa, I wrote to the Clerk of the Legislature and requested him to mail a copy to my address, which reached me on Tecsday, in advance of any other pury in the city. I immediately present an abstract of the Message and dipached it over the wires to New York, where it was received with the usual derives of pronopmess for which the cree leady well managed lines via Clereland and Busho are sated."

I bear cheerful testimony to the justice of the above alpusion to the lines of the New York and Busha'o and Judicious menagement of J. D. Reid and A. Steper, cayes, will compare most favorably with the best lines in the courtry.

D. H. CRAIG, Agent Associated Press.

New York, Dec. 12, 1886.